

## PUBLIC LANDS.

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repeal and reduction contemplated of duties upon articles of foreign import, subsequent purchasers of the public lands, as far as they are consumers of those articles, will share in the general relief, and will consequently be enabled to apply more of their means to the purchase of land.

But in no reasonable sense can the sale of the public lands be considered as the imposition of a tax. The Government, in their disposal, acts as a trustee for the whole people of the United States, and, in that character, holds and offers them in the market. Those who want them, buy them, because it is their inclination to buy them. There is no compulsion in the case. The purchase is perfectly voluntary, like that of any other article which is offered in the market. In making it, the purchaser looks exclusively to his own interest. The motive of augmenting the public revenue, or any other motive than that of his own advantage, never enters into his consideration. The Government, therefore, stands to the purchaser in the relation merely of the vendor of a subject which the purchaser's own welfare prompts him to acquire; and, in this respect, does not vary from the relation which exists between any private vendor of waste lands, and the purchaser from him. Nor does the use to which the Government may think proper to apply the proceeds of the sale of the public lands give the smallest strength to the idea that the purchase of them is tantamount to the payment of a tax. The Government may employ those proceeds as a part of its ordinary revenue, or it may apply them in any other manner, consistent with the constitution, which it deems proper. Revenue and taxation are not always relative terms. There may be revenue without taxation. There may be taxation without revenue. There may be sources of established revenue which not only do not imply, but which supersede, taxation. Is the consideration paid for land to a private individual to be deemed a tax, because that individual may happen to use it as a part of his income?

2. Is the reduction of the price of the public lands necessary to accelerate the settlement and population of the States within which they are situated? Those States are Ohio, Indiana, Illinois, Missouri, Alabama, Mississippi, and Louisiana. If their growth has been unreasonably slow and tardy, we may conclude that some fresh impulse, such as that under consideration, is needed. Prior to the treaty of Greenville, concluded in 1795, there were but few settlements within the limits of the present State of Ohio. Principally since that period, that is, within a term of about forty years, that State from a wilderness, the haunt of savages and wild beasts, has risen into a powerful commonwealth, containing, at this time, a population of a million of souls, and holding the third or fourth rank among the largest States in the Union. During the greater part of that term, the minimum price of the public lands was two dollars per acre; and of the large quantity with which the settlement of that State commenced, there only remain to be sold 5,586,834 acres.

The aggregate population of the United States, exclusive of the Territories, increased from the year 1820 to 1830, from 9,579,873 to 12,716,697. The rate of the increase, during the whole term of ten years, including a fraction, may be stated at thirty-three per cent. The principle of population is presumed to have full scope generally in all parts of the United States. Any State, therefore, which has exceeded or fallen short of that rate, may be fairly assumed to have gained or lost, by emigration, nearly to the extent of the excess or deficiency. From a table accompanying this report, (marked B.) the Senate will see presented various interesting views of the progress of population in the several States. In that table, it will be seen that each of eleven States exceeded, and each of thirteen fell short of an increase at the average rate of thirty-three per cent. The greatest increase, during the term, was in the State of Illinois, where it was one hundred and eighty-five per cent, or at the rate of 185 per cent. per annum; and the least was in Delaware, where it was less than six per cent. The seven States embracing the public lands, had a population, in 1820, of 1,207,165, and, in 1830, 2,238,802, exhibiting an average increase of 85 per cent. The seventeen States containing no part of the public lands, had a population, in 1820, of 8,372,707, and, in 1830, of 10,477,895, presenting an average increase of only 25 per cent. The thirteen States, whose increase, according to the table, was below 38 per cent., contained, in 1820, a population of 5,939,759, and, in 1830, of 6,966,000, exhibiting an average increase of only seventeen per cent. The increase of the seven new States upon a capital which, at the commencement of the term, was 1,207,165, has been greater than that of the thirteen, whose capital then was 5,939,759. In three of the

eleven States, (Tennessee, Georgia, and Maine,) whose population exceeded the average increase of 33 per cent., there were public lands belonging to those States; and in the fourth, (New York,) the excess is probably attributable to the rapid growth of the city of New York, to waste lands in the western part of that State, and to the great development of its vast resources by means of extensive internal improvements.

These authentic views of the progress of population in the seven new States, demonstrate that it is most rapid and gratifying; that it needs no such additional stimulus as a farther reduction in the price of the public lands; and that, by preserving and persevering in the established system for selling them, the day is near at hand when those States, now respectable, may become great and powerful members of the confederacy.

Complaints exist in the new States, that large bodies of lands in their respective territories, being owned by the General Government, are exempt from taxation to meet the ordinary expenses of the State Governments, and other local charges; that this exemption continues for five years after the sale of any particular tract; and that land, being the principal source of the revenue of those States, an undue share of the burden of sustaining the expenses of the State Governments falls upon the resident population. To all these complaints, it may be answered that, by voluntary compacts between the new States respectively, and the General Government, five per cent. of the net proceeds of all the sales of the public lands, included within their limits, are appropriated for internal improvements, leading to or within those States; that a section of land in each township, or one-thirty-sixth part of the whole of the public lands embraced within their respective boundaries, has been reserved for purposes of education; and that the policy of the General Government has been uniformly marked by great liberality towards the new States, in making various and some very extensive grants of the public lands, for local purposes. But, in accordance with the same spirit of liberality, the committee would recommend an appropriation to each of the seven States referred to, of a further sum of ten per cent. on the net proceeds of the sales of that part of the public land which lies within it, for objects of internal improvement in their respective limits. The tendency of such an appropriation will be not only to benefit those States, but to enhance the value of the public lands remaining to be sold.

11. The committee have now to proceed to the other branch of the inquiry which they were required to make, that of the expediency of ceding the public lands to the several States in which they are situated on reasonable terms. The inquiry comprehends, in its consequences, a cession of the whole public domain of the United States, whether lying within or beyond the limits of the present States and Territories. For, although in the terms of the inquiry, it is limited to the new States, cessions to them would certainly be followed by cessions to other new States, as they may, from time to time, be admitted into the Union. Three of the present Territories have nearly attained the requisite population entitling them to be received as members of the confederacy, and they shortly will be admitted. Congress could not consistently avoid ceding to them the public lands within their limits, after having made such cessions to the other States. The compact with the State of Ohio formed the model of compacts with all the other new States as they were successively admitted.

Whether the question of a transfer of the public lands be considered in the limited, or more extensive view of it which has been stated, it is one of the highest importance, and demanding the most deliberate consideration. From the statements, founded on official reports, made in the preceding part of this report, it has been seen, that the quantity of unsold and unappropriated lands lying within the limits of the new States and Territories, is 310,871,753 acres, and the quantity beyond those limits is 759,000,990, presenting an aggregate of 1,070,871,753 acres. It is difficult to conceive a question of greater magnitude than that of relinquishing this immense amount of national property. Estimating its value according to the minimum price, it presents the enormous sum of 1,363,589,691 dollars. If it be said that a large portion of it will never command that price, it is to be observed, on the other hand, that, as fresh lands are brought into market and exposed to sale at public auction, many of them sell at prices exceeding one dollar and a quarter per acre. Supposing the public lands to be worth, on the average, one-half of the minimum price, they would still present the immense sum of 681,794,845 dollars. The least favorable view which can be taken of them, is that of considering them a capital yielding, at present, an income of three millions of dollars annually. Assuming the ordinary rate of six per cent.

interest per annum, as the standard to ascertain the amount of that capital, it would be fifty millions of dollars. But this income has been progressively increasing. The average increase during the six last years has been at the rate of twenty-three per cent. per annum. Supposing it to continue in the same ratio, at the end of a little more than four years the income would be doubled, and make the capital 100,000,000 of dollars. Whilst the population of the United States increases only three per cent. per annum, the increase of the demand for the public lands is at the rate of 23 per cent., furnishing another evidence that the progress of emigration, and the activity of sales, have not been checked by the price demanded by Government.

In whatever light, therefore, this great subject is viewed, the transfer of the public lands from the whole people of the United States for whose benefit they are now held, to the people inhabiting the new States, must be regarded as the most momentous measure ever presented to the consideration of Congress. If such a measure could find any justification, it must arise out of some radical and incurable defect in the construction of the General Government properly to administer the public domain. But the existence of any such defect is contradicted by the most successful experience. No branch of the public service has evinced more system, uniformity, and wisdom, or given more general satisfaction, than that of the administration of the public lands.

If the proposed cession to the new States were to be made at a fair price, such as the General Government could obtain from individual purchasers under the present system, there would be no motive for it, unless the new States are more competent to dispose of the public lands than the common Government. They are now sold under one uniform plan, regulated and controlled by a single legislative authority, and the practical operation is perfectly understood. If they were transferred to the new States, the subsequent disposition would be according to laws emanating from various legislative sources. Competition would probably arise between the new States in the terms which they would offer to purchasers. Each State would be desirous of inviting the greatest number of emigrants, not only for the laudable purpose of populating rapidly its own territories, but with the view to the acquisition of funds to enable it to fulfil its engagements to the General Government. Collisions between the States would probably arise, and their injurious consequences may be imagined. A spirit of hazardous speculation would be engendered. Various schemes in the new States would be put abroad to sell or divide the public lands. Companies and combinations would be formed in this country, if not in foreign countries, presenting gigantic and tempting, but delusive projects; and the history of legislation, in some of the States of the Union, admonishes us that a too ready ear is sometimes given by a majority, in a legislative assembly, to such projects.

A decisive objection to such a transfer for a fair equivalent, is that it would establish a new and dangerous relation between the General Government and the new States. In abolishing the credit which had been allowed to purchasers of the public lands, prior to the year 1820, Congress was principally governed by the consideration of the inexpediency and hazard of accumulating a large amount of debt in the new States, all bordering on each other. Such an accumulation was deemed unwise and unsafe. It presented a new bond of interest, of sympathy, and of union, partially operating to the possible prejudice of the common bond of the whole Union. But that debt was a debt due from individuals, and it was attended with this encouraging security, that purchasers, as they successively completed the payments for their lands, would naturally be disposed to aid the Government in enforcing payment from delinquents. The project, which the committee are now considering, is to sell to the States, in their sovereign character, and consequently, to render them public debtors to the General Government to an immense amount. This would inevitably create between the debtor States a common feeling and a common interest, distinct from the Union. These States are all in the western and southwestern quarter of the Union, remote from the centre of Federal power. The debt would be felt as a load from which they would constantly be desirous to relieve themselves; and it would operate as a strong temptation, weakening if not dangerous, to the existing confederacy. The committee have the most animating hopes, and the greatest confidence in the strength and power and durability of our happy Union; and the attachment & warm affection of every member of the confederacy cannot be doubted; but we have authority, higher than human, for the instruction, that it is wise to avoid all temptations.

In the State of Illinois, with a population, at the late census, of 157,145, there are 31,395,969 acres of public land, including that part on which the Indian title remains to be extinguished. If we suppose it to be worth only half the minimum price, it would amount to \$19,622,480. How would that State be able to pay such an enormous debt? How could it pay even the annual interest upon it?

Supposing the debtor States to fail to comply with their engagements in what mode could they be enforced by the General Government? In treaties between independent nations, the ultimate remedy is well known. The apprehension of an appeal to that remedy, seconding the sense of justice, and the regard for character which prevail among christian and civilized nations, constitutes, generally, adequate security for the performance of national compacts. But this last remedy would be totally inadmissible in case of delinquency on the part of the debtor States. Their relations between the General Government and the members of the confederacy, are happily those of peace, friendship, and fraternity, and exclude all idea of force and war. Could the judiciary force the debtor States? On what could their process operate? Could the property of innocent citizens, residing within the limits of those States be justly seized by the General Government, and held responsible for debts contracted by the States themselves

in their sovereign character? If a mortgage upon the lands ceded, were retained, that mortgage would prevent or retard subsequent sales by the States; and if individuals bought, subject to the encumbrance, a parental Government could never resort to the painful measure of disturbing them in their possessions.

Delinquency on the part of the debtor States, would be inevitable, and there would be no effectual remedy for the delinquency. They would come, again and again to Congress, soliciting time and indulgence until, finding the weight of debt intolerable, Congress would be reiterated applications for relief, and would finally resolve to sponge the debt; or, if Congress attempted to enforce its payment, another and a worse alternative would be embraced.

If the proposed cession be made for a price merely nominal, it would be contrary to the express conditions of the original cessions from primitive States to Congress, and contrary to the obligations which the Gen. Government stands under to the whole people of the United States, arising out of the fact that the acquisitions of Louisiana and Florida, and from Georgia, were obtained at a great expense, borne from the common treasure, and incurred for the common benefit. Such a gratuitous cession could not be made without a positive violation of a solemn trust and without manifest injustice to the old States. And its inequality among the new States would be as marked as its injustice to the old would be undeniable. Thus, Missouri, with a population of 149,455, would acquire 58,291,152 acres; and the State of Ohio, with a population of 934,884 would obtain only 5,586,834 acres. Supposing a division of the lands among the citizens of those two States respectively the citizen of Ohio would obtain less than 6 acres for his share, and the citizen of Missouri upwards of two hundred and seventy-two acres as his proportion.

Upon full and thorough consideration, the committee have come to the conclusion that it is inexpedient either to reduce the price of the public lands, or to cede them to the new States. They believe on the contrary, that sound policy coincides with the duty which has devolved on the General Government to the whole of the States, and the whole of the people of the Union, and enjoin, the preservation of the existing system as having been tried and approved after long and triumphant experience. But, in consequence of the extraordinary financial prosperity which the U. States enjoy, the question merits examination, whether, whilst the General Government steadily retains the control of this great national resource in its own hands, after the payment of the public debt, the proceeds of sales of the public lands, no longer needed to meet the ordinary expenses of the Government, may not be beneficially appropriated to some other object for a limited time.

Governments, no more than individuals, should be seduced or intoxicated by prosperity however dazzling or great it may be. The country now happily enjoys it in a most unexampled degree. We have abundant reason to be grateful for the blessing of peace and plenty, and freedom from debt. But we must be forgetful of all history and experience, if we indulge the delusive hope that we shall always be exempt from calamity and reverses. Seasons of national adversity, of suffering, and of war, will assuredly come. A wise government should expect, and provide for them. Instead of waiting or squandering its resources in a period of general prosperity, should husband and cherish them for those times of trial and difficulty, which, in the dispensations of Providence may be certainly anticipated. Entertaining these views, and as the proceeds of the sales of the public lands are not wanted for ordinary revenue, which will be abundantly supplied from the imports, the committee respectfully recommend that an appropriation of them be made to some other purpose, for a limited time, subject to be resumed in the contingency of war. Should such an event unfortunately occur, the fund may be withdrawn from its peaceful destination, and applied in aid of other means, to the vigorous prosecution of the war, and, afterwards, to the payment of any debt which may be contracted in consequence of its existence. And when peace shall be again restored, and the debt of the new war shall have been extinguished, the fund may be again appropriated to some fit object other than that of the ordinary expenses of government. Thus may this great resource be preserved and rendered subservient, in peace and in war, to the common benefit of all the States composing the Union.

The inquiry remains, what ought to be the specific applications of the fund under the restrictions stated? After deducting the ten per cent. proposed to be set apart for the new States, a portion of the committee would have preferred that the residue should be applied to the objects of internal improvement, and colonization of the free blacks, under the direction of the General Government. But a majority of the committee believes it better, as an alternative for the scheme of cession to the new States and as being most likely to give general satisfaction, that the residue be divided among the twenty-four States, according to their federal representative population, to be applied to education, internal improvement, or colonization, or to the redemption of any existing debt contracted for internal improvements, as each State, judging for itself, shall deem most conformable with its own interests and policy. Assuming the annual produce of the public lands to be three millions of dollars the table hereto annexed, marked C, shows what each State would be entitled to receive, according to the principle of division, which has been stated. In order that the propriety of the proposed appropriation should again, at a day not very far distant, be brought under the review of Congress, the committee would recommend that it be limited to a period of five years, subject to the condition of war not breaking out in the mean time. By an appropriation so restricted as to time, each State will be enabled to estimate the probable extent of its proportion, and to adopt its measures of education, improvement, colonization, or extinction of existing debt, accordingly.

In conformity with the views and principles which the committee have now submitted, they beg leave to report the accompanying bill, entitled, "An act to appropriate for a limited time, the proceeds of the sales of the public lands of the U. States."

C. The following statement shows the dividend of each State, (according to its federal population, in the proceeds of the public lands after deducting therefrom fifteen per cent., as an additional dividend for the States in which the public land is situated. Estimated proceeds of lands, \$3,000,000; deduct 15 per cent., \$450,000, and \$2,550,000 remains to

be divided among all the States, according to their population.

STATES.	Federal population, 1830.	Share of public lands.
Maine,	239,477	\$95,587 43
New Hampshire,	259,336	97,573 71
Massachusetts,	610,468	130,487 59
Vermont,	289,657	59,995 93
Rhode Island,	97,194	20,777 12
Connecticut,	297,655	94,641 74
New York,	1,918,553	410,128 29
New Jersey,	319,922	68,350 59
Pennsylvania,	1,318,972	298,176 81
Delaware,	75,132	15,992 93
Maryland,	405,843	86,756 89
Virginia,	1,023,593	218,793 82
North Carolina,	633,847	136,756 45
South Carolina,	455,925	97,429 51
Georgia,	429,811	91,899 52
Alabama,	282,598	56,116 22
Mississippi,	110,353	23,591 19
Louisiana,	171,094	36,702 95
Tennessee,	625,263	133,662 21
Kentucky,	621,822	132,928 78
Ohio,	935,884	209,063 54
Indiana,	343,031	73,229 59
Illinois,	157,147	33,592 25
Missouri,	130,419	27,872 68

11,948,731

## Pay the Printer.

BEING desirous of making a final settlement of all my accounts connected with the Printing business as early as possible, I hereby request all those who are indebted to me either for newspapers, for job work, or for advertising, to come forward and settle the same either by cash or note. It is unnecessary for me to inform those indebted that a speedy settlement is very desirable on my part, as they must be aware, from the long indulgence I have given many of them, that my creditors are likewise growing impatient. Those at a distance, whose accounts have been forwarded, I trust I will not wait for a second invitation to remit by mail.

MILTON GREGG.

March 9th, 1832.

P. S. In my absence, Mr. CLARKSON is authorized to receive any money due me, and receipt for the same. M. G.

## STATE OF INDIANA, } Franklin County, } In the Probate Court of Franklin County, of the term of March, 1832.

Estate of John } On petition to settle as an  
Voorhees, dec'd. } Insolvent debtor.  
AND now on this day, to wit: on the 8th day of March, 1832, comes William W. Carson, administrator of the estate of John Voorhees, deceased, and files his complaint, praying the privilege to settle said estate as an insolvent one, and praying generally for relief; and thereupon it is ordered and directed by the Court, that the creditors of said estate, be notified of the pendency and filing of said complaint, by a publication for six weeks successively in the Western Statesman, a newspaper printed and published in the county of Dearborn, and State aforesaid; and further, that unless the creditors of said estate, notify and administrator of the existence and extent of their respective claims, by filing the same, or a statement of the nature thereof, agreeably to law, in the office of the Clerk of said Court, previous to the May Term of said Court to be holden at the Court house in Brookville on the third Monday in May next, when a final distribution of the assets of the Estate of the said decedent, will be decreed, their claims will be postponed in favor of the claims of the more diligent creditors.  
ROBERT JOHN, C. K. P. C. F. C.  
March 9, A. D. 1832.-41-60.

## Attend to this Notice, OR I WILL.

THE Books, Notes, Fee Bills, Duplicate of Taxes, and accounts, of John Spencer having been put in my hands for collection, all persons knowing themselves to be indebted to him are required to make immediate payment, as I am determined to make a final disposition of his business, as early as possible. I wish those interested to manifest their willingness very soon, at least by the 20th of March present, or farer worse, and by doing so, it will supercede the necessity of another notice, which might cost more than this.  
ISAAC SPENCER.

March 8th, 1832.

P. S. I have a horse wagon to sell or exchange for a yoke of oxen. I. S.  
I will be at my office to attend to John Spencer's business on Saturdays in Lawrenceburgh.  
ISAAC SPENCER.  
N. B. The days of probation have expired.

## LAW NOTICE.

THE subscriber having quit public business he will practice law in the Supreme court, Circuit court, and other inferior courts, so far as his services may be found necessary, by his friends. Having a pretty extensive acquaintance through the United States he will attend to the collection of claims to, or from, any part of the Union, which may be placed in his hands. Any Law business put into the hands of John Test, Junr.—residing in Decatur County, will receive the united attention of both. He will be found at his residence in Lawrenceburgh when not out of town upon business.  
JOHN TEST.

January, 12th, 1832.—44-1yr.

## Notice of co-partnership.

THE subscribers having associated themselves as partners in trade, will transact business at the old stand of George Toney under the firm of Toney & Dunn. A share of public patronage is respectfully solicited.  
GEORGE TONEY.  
JACOB P. DUNN.  
March 29, 1831.

## Fish.

JUST received a fresh supply of Mackerel, No. 1, 2, 3, and  
CODFISH and HERRING,  
and for sale by the barrel, quintal or box, on reasonable terms, by  
L. W. JOHNSON.  
March 29, 1832.

## Money Wanted, AND MUST BE HAD.

ALL who are indebted to the undersigned, are requested to settle their Notes and accounts immediately; as I shall, after the 20th April, leave them all, without exception, with Esq. Pahner for collection.  
JOHN SHOOK

## Salt.

MUSKINGUM Salt, superior and white for sale by  
L. W. JOHNSON.  
March 20th, 1832.